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PETER OPPENEER  
CLERK US DIST COURT  
WD OF WI

## ATTACHMENT 1

### COMPLAINT FORM

(for non-prisoner filers without lawyers)

IN THE UNITED STATES DISTRICT COURT  
FOR THE Western DISTRICT OF Wisconsin

(Full name of plaintiff(s))

Ellerman, Bradley T.

vs

(Full name of defendant(s))

Department of the Army, John E. Whitley, Acting Secretary

DOA, Muriel Hutson, Supervisory HR Specialist (C/R&P), CHRA - Ft McCoy, WI

DOA, Cindy Lass, Division Director, CHRA - Fort McCoy, WI

Case Number:

21 CV 324 JDP

(to be supplied by clerk of court)

#### A. PARTIES

1. Plaintiff is a citizen of Wisconsin and resides at  
(State)

717 Eberlein Drive, Mauston, WI 53948

(Address)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant Department of Army  
(Name)

is (if a person or private corporation) a citizen of (unknown)  
(State, if known)

and (if a person) resides at (unknown)  
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for CHRA, 2187 South J Street, Fort McCoy, WI 54656  
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

**B. STATEMENT OF CLAIM**

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

The plaintiff, Bradley T. Ellerman, worked for the Department of the Army at the Fort McCoy location from February 2015 until March of 2019. Mr. Ellerman made the employer aware of his multiple disabilities, and requested reasonable accommodations to assist him. Employer fired him on March 11, 2019 due to his disabilities and because of his attempts to be granted the rights afforded him by the ADA and the Rehabilitation Act. As a result, Mr. Ellerman has suffered lost wages, damage to his reputation, damage to his health and recovery, and a decline in his occupational abilities. Mr. Ellerman wants Army to place him into a position equal to where he would be had these actions not taken place, as well as to pay him for the lost wages and

other costs caused by their actions.

Mr. Ellerman was attempting to resolve his complaints through Federal agencies meant to assist with this (EEOC, MSPB). After he was removed, his most pressing complaint became the removal, which then proceeded to MSPB. While participating in mediation, which was required by the MSPB judge working his case, Army coerced Mr. Ellerman into signing a Settlement Agreement by withholding reference information for another job that he was about to be offered by the VA. After signing the NSA, Mr. Ellerman filed a complaint describing the coercion and asking that his complaints be heard, as they never had been still. However, EEOC later responded to tell Mr. Ellerman that he needed to file this complaint with MSPB, not with EEOC. He was not aware, and his attorney also was not aware, and did not correct this error.

Mr. Ellerman had a total of 30 complaints against Dept. of Army, consolidated by Army into 3 different claims. However, none of these complaints ever made it through all of the administrative steps to ever be heard by any agency (EEOC, MSPB, etc.) He believes if he could present his case in Federal Court, that he would show the discrimination that Army used to create a workplace where he was unable to be successful.

He wishes to work in his field (Human Resources), and feels the job he had at Army was a perfect fit for his skills, talents, and desires. However, because his supervisors were less qualified than he was, they wished to place individuals that did not have applicable education or experience. Harming Mr. Ellerman terribly in the process.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$\_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

Mr. Ellerman is asking to be returned to employment at a level equal to where he

would have been had the discrimination not happened. Expedited training and

development may be necessary to be successful. Back pay and compensatory

damages are also warranted.

E. JURY DEMAND

- ☐ Jury Demand - I want a jury to hear my case  
OR  
☒ Court Trial - I want a judge to hear my case

Dated this 6th day of May, 2021.

Respectfully Submitted,



Signature of Plaintiff

608-350-1810

Plaintiff's Telephone Number

b\_ellerman@yahoo.com

Plaintiff's Email Address

717 Eberlein Drive

Mauston, WI 53948

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE**

- ☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.
- ☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.